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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,644	11/06/2001	Kevin C. Hutton	GOLDENH.003A	9966
20995 7590 06/28/2007 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614			EXAMINER LE, LINH GIANG	
			ART UNIT 3626	PAPER NUMBER
			NOTIFICATION DATE 06/28/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
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Office Action Summary

Application No.

10/007,644

Applicant(s)

HUTTON ET AL.

Examiner

Michelle Linh-Giang Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>100206.022807.040307</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Notice to Applicant

1. The communication is in response to interview held on 22 March 2007. The finality of the previous rejection has been withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-10 are rejected under 35 U.S.C. 103(a) as being obvious by Sloane (5,911,132) in view of Hanson (6,868,074).

4. As per claim 1, Sloane teaches a computerized integrated emergency medical transportation database system (Sloane; Abstract). The system comprises a medical emergency database configured to store clinical encounter information, patient demographic data, and transport information (Sloane; Col. 1, lines 48-59).

Sloane does not expressly teach a demographic audit module in communication with the medical emergency database.

Sloane does not expressly teach the demographic audit module configured to determine whether sufficient patent demographic data exists in the medical emergency

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database and to search other databases in an attempt to obtain missing demographic information. However, these features are well known in the art as evidenced by Hanson. In particular, Hanson teaches the data device first searching for existence of data in the internal database (Hanson; Col. 4, lines 42-45) and then if the data does not exist in the data device contacting another centralized database (Hanson; Col. 4, lines 51-56). It would have been obvious to one of ordinary skill in the art to add these features to the Sloane teachings with the motivation of enabling automatic transmission of user characteristics that will aid in medical triage, diagnosis and treatment (Hanson; Col. 2, lines 49-50).

5. As per claim 2, Sloane does not expressly teach the demographic audit module is additionally configured to document one or more attempts to obtain any missing demographic information. However, this is an obvious variant of the Sloane teachings. Sloane does teach a daemon scanning the records looking for incomplete transactions and then sending an e-mail to obtain the missing information (Sloane; Col. 7, lines 65-67). It would have been obvious to vary this teaching of Sloane with the motivation of providing useful diagnostic information to physicians or other health care professionals (Sloane; Col. 1, line 65 to Col. 2, line 2).

6. As per claim 3, Sloane fails to teach the demographic audit module is additionally configured to apply modifiable data collection rules associated with a payer type to determine whether sufficient patient demographic data exists in the medical emergency

database. However, this feature is well known as evidenced by Hanson. In particular, Hanson teaches comparing the distance between the location and the nearest emergency provider. If it is within a certain distance, the device determines the protocol (Hanson; Col. 4, lines 45-50). Examiner interprets the comparing of the distance and determining if it is within a certain distance to read on a "modifiable data collection rule." It would have been obvious to one of ordinary skill in the art to add these features to the Sloane teachings with the motivation of enabling automatic transmission of user characteristics that will aid in medical triage, diagnosis and treatment (Hanson; Col. 2, lines 49-50).

7. As per claim 5, Sloane teaches a method of auditing demographic data in an integrated emergency medical transportation database system (Sloane; Col. 7, lines 60-64). Sloane teaches a method comprised of collecting at least clinical encounter information, patient demographic information and transport information into a medical emergency database (Sloane; Col. 1, lines 48-59) and recording attempts to obtain missing demographic information (Sloane; Col. 7, lines 65-67).

However, Sloane fails to teach applying a modifiable data collection rules associated with a payer type to determine whether sufficient patient demographic data exists in the medical emergency database. This is the same feature is recited in claim 3 and the reason for rejection is incorporated herein.

8. As per claim 6, Sloane discloses a method where in the other databases are located within the emergency medical transportation database system (Sloane; Col. 6 line 54).

9. As per claim 7, Sloane discloses a method wherein other databases are external to the emergency medical transportation database system and can be accessed via a network (Sloane; Col. 2 line 64 to Col. 3 line 16).

10. As per claim 8-9, Sloane in view of Hanson discloses an integrated emergency medical transportation database system having a data accuracy filter module with the same limitations and features as the demographic audit module as disclosed in claims 1-2 and 4 and the reasons for rejection are incorporated herein.

11. As per claim 10, the same feature of applying a data collection rule to determine whether sufficient data exists in the database is recited in claim 3 and the above reason for rejection is incorporated herein.

12. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being obvious by Sloane (5,911,132) in view of Hanson (6,868,074) in further view of Kessler (2001/0034618).

13. As per claim 4, Sloane does not expressly teach the system additionally comprised of a billing module in communication with the medical emergency database, the billing module receiving data from the demographic audit module. However, this

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feature is well known in the art as evidenced by Kessler. Kessler teaches a Health Care Payment and Compliance System (HCPACS) (Kessler; Pg. 5, para. 102). Examiner interprets the HCPACS to read on a "billing module." It would have been obvious to one of ordinary skill in the art to add this feature to Sloane with the motivation of simplifying and accelerating the process of providing health care to beneficiaries (Kessler; Pg. 1, Para. 10).

14. Claim 11 repeats the limitations of claim 4 and the reasons for rejection are incorporated herein.

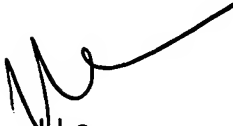
Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh-Giang "Michelle" Le whose telephone number is 571-272-8207. The examiner can normally be reached on 8 AM - 5PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RLe

Robert Morgan
Robert Morgan
Patent Examiner
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